

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JERRY GARDNER,

Plaintiff,

vs.

COURTNEY R. FARRINGTON, KARL
FARRINGTON, PROFESSIONAL
COMPUTER SERVICE, DAKOTA
TRUCK UNDERWRITERS,

Defendants.

7:12CV5006

AMENDED PROGRESSION ORDER

Pursuant to the Joint Motion to Modify Final Progression Order (Filing 15),

IT IS ORDERED that the amended progression order is as follows:

- 1) The jury trial of this case is set to commence before Cheryl R. Zwart, United States Magistrate Judge, in the United States Courthouse, 300 E. 3rd Street, North Platte, Nebraska 69101, at 9:00 a.m. on **February 10, 2014**, or as soon thereafter as the case may be called, for a duration of four (4) trial days. Jury selection will be held at commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **January 28, 2014 at 9:00 a.m.**, and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on January 27, 2014. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 3) A telephonic conference with the undersigned magistrate judge will be held on **October 8, 2013 at 11:30 a.m.** to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.
- 4) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is September 23, 2013. Motions to compel Rule 33 through 36 discovery must be filed by September 10, 2013.
- 5) The deadline for identifying expert witnesses expected to testify at the trial is May 1, 2013.

- 6) The deadlines for complete expert disclosures, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): June 3, 2013

For the defendant(s): July 1, 2013

- 7) The deposition deadline is September 30, 2013.
- 8) The deadline for filing motions to dismiss and motions for summary judgment is October 25, 2013.
- 9) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is October 25, 2013.
- 10) Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.
- 11) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

March 5, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge